

1893-052
Lee Co.

Chancery Causes: Henry Woodward for &c vs. Swan Hamblen &c

Morgan

1 Plat

CA-Debt
T-Property

-Deed

To the Hon. H. S. K. Merison Judge of the Circuit
Court of Lee County Virginia:

Humbly confirming your Orator ~~Henry J. Morgan~~
Woodard who sines for the benefit of Henry J. Morgan
would respectfully represent, that by a bond or writing
under seal dated January the 26th 1884, the said Swann Hamblen
and Claiborne Hamblen undertook and bound themselves
their heirs or to pay your Orator one day after the date
thereof the sum of fifty dollars for value recd. and this
bond is herewith filed marked (A) each and every part
of which is now due and owing to your Orator, no part
thereof ever having been paid either by the said Swann or
Claiborne Hamblen to your Orator or said ~~beneficial~~ plaintiff:

Your Orator further States that on the 25th day of
January 1887. he for the benefit of said Morgan obtained
a judgment at law, before a Justice of the peace for
said county against the said Swann and Claiborne
Hamblen for the sum of \$50.00 with legal interest thereon
from the 1st day of August 1885 till paid, and the cost
of suit amounting to \$1.00 On this judgment an execution
was issued and placed in the hands of a proper officer
to be lived and collected according to law: but instead of
his doing so he returned the same as "property found" &
the original warrant on which said judgment was obtained
the said judgment and execution is herewith filed marked (B):

This judgment and each and every part thereof is now
due and owing to your Orator, no part thereof ever having
been paid:

Your Orator States that he is a Son and heir at law of one Wm. D. Woodard who lately died intestate in this county. the owner of a tract of land lying on the head of the Town Branch about one mile north of Jonesville and this tract of land descended to his nine children his or law your Orator being one. Before said land was partitioned among those entitled thereto. Your Orator and his wife sold and conveyed their undivided interest therein to the said Swan and Blackburn Hamblen as will be seen by a copy of his deed herewith filed marked (C) By reference to this deed it will be seen that your Orator and his wife retained the vendors lien on said undivided interest so sold and conveyed for the unpaid purchase money due or to become due and that your Orator now states that the money secured by the note or bond first herein referred to is a part of the purchase money on said land and constitutes a specific and permanent lien on said land as a part of said purchase money.

Your Orator further states that after his sale of said lands of said Wm. D. Woodard was partitioned among those entitled thereto, as shown by a plot of said partition herewith filed as a further part here of marked (D) And by reference thereto it will be seen that lot No. 2 on said Plot was assigned to the said Swan Blackburn Hamblen in right of their purchase from Your Orator and this is the lot of 40 acres liable to the specific lien aforesaid. Your Orator now states that said Swan Blackburn Hamblen own other lands beside the 40 acres now referred to, and he is advised that said said judgment at law operates as a lien on all such land as they may own and the said 40 acres is nearly all wood.

land will rent ^{for} but very little, and will not yield enough
in five years time to pay said judgment, and the Court
is of opinion that some relief should be granted in such
a case, and as such a Court of equity will say
that the same Court in the same case will in tempering
to the said Swan & Claiborne Humbler to save their estate before
the lien of said judgment by allowing so much of said
to be sold as will satisfy said two claims, and to obtain
that relief is the object of this bill

The premises considered your Orator prays that the said
Swan and Claiborne Humbler be made defendants to this
bill and be required to answer the same fully in the
same by a sale of said land. And if judgment in this
his Special prayer then he prays for all general relief
May the Commonwealth writ of Habeas Corpus directed to

Henry J. Morgan for Clerk

7.60
 1.00
 4.15
 Estimate 5.00
 \$28.69

H.
 H. C. Woodward
 vs.
 vs.
 S. W. H. H. H. H. H.

accumulated
 O.K. \$8.84
 By Estimate 8.00
 Balance \$5.84
 Estimate 1.42
 to M.C. \$5.26

" No. Continued
 1889. Contd this year
 1890
 1891 " "
 1892 " "
 1893 March Decree
 " June Rule Contd
 " Nov Decree
 Final 07524

H. C. Woodward for &c.

Plff.

vs.

Swan + Claibourne Hambleu

Defts

} In chy.

This cause came on this day to be finally heard on the papers heretofore read therein and the report of Special Court J. A. G. Hyatt filed in the cause during the present term showing the execution of a deed of conveyance by him as Court to H. J. Morgan for the 43 acre tract of land in the bill mentioned made pursuant to a former decree in the cause and was argued by counsel and said report being unaccepted to on consideration of all which it is adjudged, ordered, and decreed that the said report and the deed therewith submitted be and the same are hereby confirmed. and the clerk of this will deliver to the clerk of the County Court of Lee County said deed for recordation, and no further action being necessary in the cause the parties are hence dismissed and the cause stricken from the docket.

Henry C. Woodward for &c Plff. }
vs. In Chy.
Swan & Claibourne Hambleu Defts }

This cause came on again this day to be further heard on the papers formerly read therein, and the report of Special Commissioner John A. G. Hyatt dated Oct 19th and filed in the Cause Oct 23rd 1893, showing a resale of the 43 acre tract of land in the bill mentioned and was argued by counsel and the said report being unaccepted to, on consideration of all which it is adjudged, ordered, and decreed that the said report of sale be and the same is hereby confirmed, and Henry J. Morgan, being the beneficial plaintiff and the purchaser of said land and the balance due him being \$189.40 which is paid by his said purchase, the said two bonds on which the rule in this cause was awarded at the last March term are hereby cancelled, and John A. G. Hyatt is hereby appointed a Special Commissioner whose duty it is made to convey to said Morgan by deed with covenants of special warranty said 43 acre tract of land, and he will report his action to the

H. C. Woodward for &c

vs. } Decree No. 5.

}
Swan & Clabe Hambley

Entd Nov. 10th 1893

Chas O.B. 512-13

Enter This

Nov. 10th 1893.

H. C. M.

Deant, and until the coming in thereof
the cause is continued.

Henry C. Woodard for + Plaintiff
 vs.
 Swan & Claiborne Hamblen Defts } In Chy

This cause came on again further to be heard this day on the papers heretofore read in the cause together with the rule awarded at the last term of this court against A. L. Russell the purchaser of the land heretofore sold in this cause & Co. A. Russell his security requiring them to show cause if any they could, why the said lands should not be re-sold to pay the purchase money, and was argued by counsel. And the said rule being returned executed. And the said A. L. Russell & Co. A. Russell failing to show cause why said land should not be sold. On consideration whereof it is adjudged and decreed that the plaintiff recover against the said A. L. Russell & Co. A. Russell \$143.25 with legal interest thereon from the 5th day of June 1888 till paid, and the cost of this suit since the first sale of said land, and unless said sum be paid the plaintiff within 20 days from the rising of this court, then that said land be re-sold for cash in hand. Said sale shall be at public auction to the highest bidder at the front door of the court house on some court day, after the same shall have been advertised 30 days prior thereto, showing time terms and place of sale. And John A. B. Hyatt is appointed a const. to execute this decree, he having heretofore given the necessary bond in the cause, and he will report his action to the court, and the cause is continued

Henry C Woodward for

or $\frac{1}{3}$ Dec. 4

Swan + Laba Hamden

Entered by O.B. Peep

478 - June 7 1893

J. H. G. Hyatt

Enter this

June 7 1893

H. S. K. M.

Henry B Woodward for &c. ^{Plff}
vs. ^{In Chy}
Swan & Claiborne Hamblin ^{Dfts}

This cause came on again to be further heard this day on the papers formerly read therein, and a special report of special Court. John A. G. Hyatt, dated and filed in this cause March the 2^d 1893 showing that A. L. Russell the purchaser of the land heretofore sold in this cause, had failed to pay ^{for} the same, and was accordingly counsel On consideration whereof It is adjudged ordered and decreed that a rule be awarded the plaintiff returnable to this court ^{first day of the next of this court} ~~at the present term~~ against A. L. Russell and C. A. Russell requiring them to show cause if any they can, why a decree should not be entered against them for \$143.25 with legal interest thereon from June 7 1888 till paid, and the cost. And why the tract of land in the bill mentioned should not be re sold to pay the same And until the coming in of said rule executed, the cause is continued;

Henry B Woodard for

no. { Dec 10.3

C + Susan Hamblin

Entered O. B. page
435 March 7 1893
J. A. S. Hyatt C,

Enter this

March 7 1893

H. S. K. M.

Henry C Woodard for & Peff
or. } In Chy.
Swan & Clara Hamblen Defts

This cause came on to be further on the papers heretofore
read in the cause, and the report of Com. John P. Hyatt
filed in the cause Augt 20 1888. Showing the sale of
the tract of land in the bill mentioned, and was argued
by counsel, and the said report being unaccepted to
on consideration thereof it is adjudged ordered & decreed
that said report be and the same is hereby confirmed
and said Com. Hyatt will proceed to collect the purchase
money as fast as it falls due and pay the same to the
parties entitled thereto and report the same to the Court and
the cause is continued.

Henry C. Woodard Jr.

as { Dec. No. 2

Swan + Gable Hamblin

Entered page 146

J. A. S. Hyatt

Entered this
Sep 4 1888
H. S. M.

Henry B. Woodard for or. Paff

vs.

In Chy

Swan + Claiborne Hamblen Defts

This cause came on this day to be heard on the bill of the plaintiff and exhibits therewith taken for confessed by the said defendants and was argued by counsel. On consideration whereof It is adjudged ordered and decreed that the plaintiff recover against the defendants Swan + Claiborne Hamblen \$101.00 with legal interest on \$50.00 part thereof from the 26th day of January 1884 and the like interest on \$50.00 another part thereof from the 1st day of Augt 1885 till paid and the costs of this suit. And said Lewis Constable having liens on the 43 acre tract of land in the bill mentioned unless the same be paid the plaintiff with the costs of this suit within 20 days from the rising of the court & then that said tract of land or so much thereof as may be necessary to pay the above decree, be sold on a credit of 6 or 12 months time with interest from date except as to so much as will pay the costs of suit and sale which will be required to be paid in hand, and the purchaser to give bond with approved security for the deferred payments. Said sale shall be made at public Auction to the highest bidder at the front door of the court house of Lee County on some court day after the same shall have been advertised 30 days prior thereto, showing time terms of sale of sale And John A. B. Hyatt is appointed a Special Comr. to execute this decree who before doing so. is required to execute bond before the clerk of this court with good security in the penalty of \$200. with covenants to account for all

Henry C. Woodard per

no. } Deem No. 1

Deem C. Hamblin
Entered page 34 2p

29 Enter this decree
March 1887.

H. C. Woodard

Money for Mary received by virtue of these proceedings
and she will report his action to the court, and the
cause is continued

Henry C. Woodward for the Plff }
vs } In Chancery
Swan and Elsie Hambley Defts }

To the Hon. H. S. K. Harrison Judge
of the Circuit Court for Lee County.

Your undersigned Special Commissioner respectfully reports, that after duly advertising, as is shown by a copy of said notice herewith filed marked "N", having been put up, on the Court house door at Ambrose Eagle's shop in the vicinity of the land and at E. M. Pennington & Wm. P. Wood's store, & in obedience to a decree entered in above styled Cause 29th March 1887, on the first day of the June Term 1888, of Lee County Court, I offered for sale the land in the bill and proceedings mentioned, a considerable crowd was present, but no one except A. L. Russell bid on said land and he bid the sum of \$184.19 it being the amount sought to be enforced in this suit against said land including a small profit, in favor of Levi Smith against Defts et al, amounting in the aggregate to \$23.65 as well as the costs of this suit. and by some compromise arrangements between said Russell and the Defendants, this bid was agreed between them to be accepted by me - in satisfaction for said

1 land, which I accordingly accepted
2 and thereupon said Russell paid and
3 secured the payment of the costs and
4 commissions, and executed to me
5 his ^{two} notes for \$71.25 each bearing
6 interest from date, payable in one
7 & two years, with L. A. Russell
8 as his security, which notes your
9 Court considers good - and he
10 therefore recommends the confir-
11 mation of said sale.

Respectfully submitted
J. A. G. Hyatt Comr.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000
1001
1002
1003
1004
1005
1006
1007
1008
1009
1010
1011
1012
1013
1014
1015
1016
1017
1018
1019
1020
1021
1022
1023
1024
1025
1026
1027
1028
1029
1030
1031
1032
1033
1034
1035
1036
1037
1038
1039
1040
1041
1042
1043
1044
1045
1046
1047
1048
1049
1050
1051
1052
1053
1054
1055
1056
1057
1058
1059
1060
1061
1062
1063
1064
1065
1066
1067
1068
1069
1070
1071
1072
1073
1074
1075
1076
1077
1078
1079
1080
1081
1082
1083
1084
1085
1086
1087
1088
1089
1090
1091
1092
1093
1094
1095
1096
1097
1098
1099
1100
1101
1102
1103
1104
1105
1106
1107
1108
1109
1110
1111
1112
1113
1114
1115
1116
1117
1118
1119
1120
1121
1122
1123
1124
1125
1126
1127
1128
1129
1130
1131
1132
1133
1134
1135
1136
1137
1138
1139
1140
1141
1142
1143
1144
1145
1146
1147
1148
1149
1150
1151
1152
1153
1154
1155
1156
1157
1158
1159
1160
1161
1162
1163
1164
1165
1166
1167
1168
1169
1170
1171
1172
1173
1174
1175
1176
1177
1178
1179
1180
1181
1182
1183
1184
1185
1186
1187
1188
1189
1190
1191
1192
1193
1194
1195
1196
1197
1198
1199
1200
1201
1202
1203
1204
1205
1206
1207
1208
1209
1210
1211
1212
1213
1214
1215
1216
1217
1218
1219
1220
1221
1222
1223
1224
1225
1226
1227
1228
1229
1230
1231
1232
1233
1234
1235
1236
1237
1238
1239
1240
1241
1242
1243
1244
1245
1246
1247
1248
1249
1250
1251
1252
1253
1254
1255
1256
1257
1258
1259
1260
1261
1262
1263
1264
1265
1266
1267
1268
1269
1270
1271
1272
1273
1274
1275
1276
1277
1278
1279
1280
1281
1282
1283
1284
1285
1286
1287
1288
1289
1290
1291
1292
1293
1294
1295
1296
1297
1298
1299
1300
1301
1302
1303
1304
1305
1306
1307
1308
1309
1310
1311
1312
1313
1314
1315
1316
1317
1318
1319
1320
1321
1322
1323
1324
1325
1326
1327
1328
1329
1330
1331
1332
1333
1334
1335
1336
1337
1338
1339
1340
1341
1342
1343
1344
1345
1346
1347
1348
1349
1350
1351
1352
1353
1354
1355
1356
1357
1358
1359
1360
1361
1362
1363
1364
1365
1366
1367
1368
1369
1370
1371
1372
1373
1374
1375
1376
1377
1378
1379
1380
1381
1382
1383
1384
1385
1386
1387
1388
1389
1390
1391
1392
1393
1394
1395
1396
1397
1398
1399
1400
1401
1402
1403
1404
1405
1406
1407
1408
1409
1410
1411
1412
1413
1414
1415
1416
1417
1418
1419
1420
1421
1422
1423
1424
1425
1426
1427
1428
1429
1430
1431
1432
1433
1434
1435
1436
1437
1438
1439
1440
1441
1442
1443
1444
1445
1446
1447
1448
1449
1450
1451
1452
1453
1454
1455
1456
1457
1458
1459
1460
1461
1462
1463
1464
1465
1466
1467
1468
1469
1470
1471
1472
1473
1474
1475
1476
1477
1478
1479
1480
1481
1482
1483
1484
1485
1486
1487
1488
1489
1490
1491
1492
1493
1494
1495
1496
1497
1498
1499
1500
1501
1502
1503
1504
1505
1506
1507
1508
1509
1510
1511
1512
1513
1514
1515
1516
1517
1518
1519
1520
1521
1522
1523
1524
1525
1526
1527
1528
1529
1530
1531
1532
1533
1534
1535
1536
1537
1538
1539
1540
1541
1542
1543
1544
1545
1546
1547
1548
1549
1550
1551
1552
1553
1554
1555
1556
1557
1558
1559
1560
1561
1562
1563
1564
1565
1566
1567
1568
1569
1570
1571
1572
1573
1574
1575
1576
1577
1578
1579
1580
1581
1582
1583
1584
1585
1586
1587
1588
1589
1590
1591
1592
1593
1594
1595
1596
1597
1598
1599
1600
1601
1602
1603
1604
1605
1606
1607
1608
1609
1610
1611
1612
1613
1614
1615
1616
1617
1618
1619
1620
1621
1622
1623
1624
1625
1626
1627
1628
1629
1630
1631
1632
1633
1634
1635
1636
1637
1638
1639
1640
1641
1642
1643
1644
1645
1646
1647
1648
1649
1650
1651
1652
1653
1654
1655
1656
1657
1658
1659
1660
1661
1662
1663
1664
1665
1666
1667
1668
1669
1670
1671
1672
1673
1674
1675
1676
1677
1678
1679
1680
1681
1682
1683
1684
1685
1686
1687
1688
1689
1690
1691
1692
1693
1694
1695
1696
1697
1698
1699
1700
1701
1702
1703
1704
1705
1706
1707
1708
1709
1710
1711
1712
1713
1714
1715
1716
1717
1718
1719
1720
1721
1722
1723
1724
1725
1726
1727
1728
1729
1730
1731
1732
1733
1734
1735
1736
1737
1738
1739
1740
1741
1742
1743
1744
1745
1746
1747
1748
1749
1750
1751
1752
1753
1754
1755
1756
1757
1758
1759
1760
1761
1762
1763
1764
1765
1766
1767
1768
1769
1770
1771
1772
1773
1774
1775
1776
1777
1778
1779
1780
1781
1782
1783
1784
1785
1786
1787
1788
1789
1790
1791
1792
1793
1794
1795
1796
1797
1798
1799
1800
1801
1802
1803
1804
1805
1806
1807
1808
1809
1810
1811
1812
1813
1814
1815
1816
1817
1818
1819
1820
1821
1822
1823
1824
1825
1826
1827
1828
1829
1830
1831
1832
1833
1834
1835
1836
1837
1838
1839
1840
1841
1842
1843
1844
1845
1846
1847
1848
1849
1850
1851
1852
1853
1854
1855
1856
1857
1858
1859
1860
1861
1862
1863
1864
1865
1866
1867
1868
1869
1870
1871
1872
1873
1874
1875
1876
1877
1878
1879
1880
1881
1882
1883
1884
1885
1886
1887
1888
1889
1890
1891
1892
1893
1894
1895
1896
1897
1898
1899
1900
1901
1902
1903
1904
1905
1906
1907
1908
1909
1910
1911
1912
1913
1914
1915
1916
1917
1918
1919
1920
1921
1922
1923
1924
1925
1926
1927
1928
1929
1930
1931
1932
1933
1934
1935
1936
1937
1938
1939
1940
1941
1942
1943
1944
1945
1946
1947
1948
1949
1950
1951
1952
1953
1954
1955
1956
1957
1958
1959
1960
1961
1962
1963
1964
1965
1966
1967
1968
1969
1970
1971
1972
1973
1974
1975
1976
1977
1978
1979
1980
1981
1982
1983
1984
1985
1986
1987
1988
1989
1990
1991
1992
1993
1994
1995
1996
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024
2025
2026
2027
2028
2029
2030
2031
2032
2033
2034
2035
2036
2037
2038
2039
2040
2041
2042
2043
2044
2045
2046
2047
2048
2049
2050
2051
2052
2053
2054
2055
2056
2057
2058
2059
2060
2061
2062
2063
2064
2065
2066
2067
2068
2069
2070
2071
2072
2073
2074
2075
2076
2077
2078
2079
2080
2081
2082
2083
2084
2085
2086
2087
2088
2089
2090
2091
2092
2093
2094
2095
2096
2097
2098
2099
2100
2101
2102
2103
2104
2105
2106
2107
2108
2109
2110
2111
2112
2113
2114
2115
2116
2117
2118
2119
2120
2121
2122
2123
2124
2125
2126
2127
2128
2129
2130
2131
2132
2133
2134
2135
2136
2137
2138
2139
2140
2141
2142
2143
2144
2145
2146
2147
2148
2149
2150
2151
2152
2153
2154
2155
2156
2157
2158
2159
2160
2161
2162
2163
2164
2165
2166
2167
2168
2169
2170
2171
2172
2173
2174
2175
2176
2177
2178
2179
2180
2181
2182
2183
2184
2185
2186
2187
2188
2189
2190
2191
2192
2193
2194
2195
2196
2197
2198
2199
2200
2201
2202
2203
2204
2205
2206
2207
2208
2209
2210
2211
2212
2213
2214
2215
2216
22

H. B. Woodland for vs.

vs.

Peoff

In Chy

Swan + Claiborne Hamblin Defts

To the Hon H. S. K. Morrison Judge of the Circuit Court of Lee County Virginia

The undersigned Special Court Esq leave to submit the following report in this cause:

About the 5th day of June 1888 I sold the tract of land in the bill and proceedings mentioned pursuant to a former decree in the cause, when A. L. Russell became the purchaser thereof, and he thereupon paid me as such Court the costs of suit down to that time and he then executed his two notes to me as such Court with B. A. Russell as security, one of which is for \$71.62 with interest thereon from June 5 1888 and due and payable 6 months after date, and the other is for \$71.63 with interest from the same time, and due and payable 12 months after date. These notes are still wholly unpaid although nearly five years has elapsed since their execution and I see no probability of their being paid soon. For the said A. L. Russell the purchaser of the land is greatly involved with debts hanging over him which he is now unable to pay, and said 2 notes are now herewith filed marked (A & B)

This being the state of facts I respectfully suggest that a rule be awarded against A. L. Russell & Chas. A. Russell returnable at once requiring them to appear before your Honor to show cause if any they can, why a decree should not be entered against them for the aggregate amount of

said two notes, and the accrued costs since the ~~last~~ decision
the cause, and the cost of this proceeding and why the
said tract of land should not be re-sold to pay the same

Respectfully submitted.

J. A. G. Hyatt Special Court.
March 2^d 1893.

Henry C. Woodard for

27. { Can. Special Report un pd
} purchase money

Swan + Clauburn Hamlin

Filed March 2 1893

J. A. S. Hyatt C. C.

\$ 71.62

Six Months after date, with interest
from date, we bind ourselves, heirs
&c to pay J. A. S. Hyatt Comr, in
the Chancery Cause of O. L. Woodward
for O. J. Morgan against Swan
And Elabe Hamblen Seventy

One Dollars and 62 Cents
for value received as the purchase
price of land sold by said Comr, in
said Cause
and we as to this bond waive our
Homestead exemptions, witness
our hands and seals this June
5th 1888.

A. L. Russell Secy
C. A. Russell Secy

A. L. Russell
Lo Note
\$71.63

Due 5th Decr/88

A

\$71.63

Twelve months after date, with
interest from date, we bind
ourselves heirs &c. to pay J. A. Syatt
Clerk in the Chancery Cause of H. C. Wood-
ward for H. J. Morgan vs Swan and Blake
Hambley Seventy One
Dollars and 63 Cents for value
received as the purchase price of land
said by said Clerk, in said Cause, and
we as to this bond waive our homestead
exemptions, witness our hands and seals
this June 5th 1888. J. L. Russell Seal
C. A. Russell Seal

A. L. Russell
La Note
\$71.62

Due June 5th 1889.

B

Henry C. Woodward for + Plff. }
vs. } In Chy.
Swann & Claibourne Hamblew Defts)

To The Hon. H. S. K. Morrison, Judge of
the Circuit Court of Lee County:

Pursuant to your decree entered in the
above styled cause on the 7th day of
June 1893, I proceeded on the 16th day
of October 1893 at the front door of
the Courthouse of Lee County that
being County Court day to offer the
43 acre tract of land in the bill
mentioned for resale to the highest bidder
for cash in hand after having adver-
tised that I would do so as was re-
quired by the said decree, when Henry
J. Morgan, the beneficial plaintiff of-
fered for said tract of land the sum
of \$199.51 and this being the highest
and best price offered for said tract
of land the said Morgan became the
purchaser thereof at that price. The
said Morgan thereupon paid me
the sum of \$10.11 for the accruing
costs and my commissions of sale, and
this leaves \$189.40 being the exact amount
of the two notes upon which the rule
was awarded the plaintiffs at the last

March Term against A. L. Russell, the first purchaser, and C. A. Russell, his security. The sale here reported may be regarded as rather a low price but taking into consideration the hardness of the time and closeness of money matters, and the fact that ~~had~~ said Morgan had now waited more than five years for the balance due him, I think said sale should be confirmed. And in the event that it is so confirmed said Morgan will be entitled to a deed of conveyance for said tract of land, and the said two bonds on which the rule in this cause was awarded should be cancelled.

Respectfully Submitted

J. A. G. Hyatt

October 17th 1893.

W. C. Woodward for &c
vs Corn &
Report
of resale
Swan & Lake Hamblin

Filed October 23rd 1893
A. B. Munsey &c

Henry C. Woodward for &c. Plff }
vs. } In Chy.
Swan + Claibourne Hambleu Defts)

To The Hon. H. S. K. Morrison, Judge
of the Circuit Court of Lee County.

As directed by your decree entered
in this cause on the 10th day of Nov.
1893, I have made, executed and ac-
knowledged for record a deed of con-
veyance by which I as Comr have con-
veyed to H. J. Morgan the 43 acre tract of
land in the bill mentioned according
to its proper metes and bounds with cov-
nants of special warranty and the same
is herewith submitted for your inspection
and approval.

Respectfully submitted

J. H. Syatt

November 10th 1893.

H. C. Woodward for &c

vs { Cour: Report of Deed

Swan & Claibourne Hamblett

Filed Nov. Term. 1893.

\$50⁰⁰
#one day after date we or
eather of us bind our selves
heirs and ~~co~~ to pay
Henry C Woodard \$ fifty dollars
for value received of him in
land and we her by wave
the benifit of our homestead
and personal property law
exemptions as to this debt
witness our hands and seals
this the 26 day of jan 1884

Swant^{his} Hamblen
mark

Seal

Claborn^{his} Hamblen
mark

Seal

B & S. Hamble

To { Note \$50.00
}

H. B. Woodard

Due Jan 27 - 1884.

(A)

VIRGINIA, LEE COUNTY -- TO WIT:

TO

S. H. Bolen

CONSTABLE OF SAID COUNTY:

I HEREBY COMMAND YOU TO SUMMON

Blake & Swan Hamblen

if to be found in your District, to appear at my office in said County, on the 25th day of Jan 1887, before me or such other Justice of said

County, as may then be there to try this Warrant, to answer complaint of H. C. Woodward

for the benefit of H. J. Morgan and upon a claim for money not exceeding \$100.00, exclusive of interest, to wit: for the sum of \$ 50.00 due by State. And then and there make return of this

Warrant. Given under my hand, the 20th day of Jan 1887.

H. C. Woodward for the benefit of } On the 25th day of Jan 1887
H. J. Morgan against } (In Debt.)
Blake & Swan Hamblen } At Jonesville in said County.

JUDGEMENT, That the Plaintiff recover of the Defendant, \$ 50.00 with interest thereon from the 1st day of August 1885, till paid, and \$ 1.50 for costs.

H. C. Foslyn J. P.
VIRGINIA, LEE COUNTY To--Wit:--To S. H. Bolen Constable of said County.

I command you, in the name of the Commonwealth of Virginia, that of the goods and chattles of Blake & Swan Hamblen in your county, you cause to be made the sum of

\$ 50.00 with interest thereon from the 1st day of August 1885 till paid, which H. C. Woodward for H. J. Morgan has recovered before me in a warrant

in debt, and also the sum of \$ 1.50 which were adjudged to the said H. C. Woodward for H. J. Morgan for costs in prosecuting said warrant. Given under my hand the 25th

day of Jan 1887. H. C. Foslyn J. P.

H. C. Woodward
for the benefit
of H. J. Morgan
vs. Warrant
I won & take
Hamblin

Entered Jan 20/1887
S H B Allen C. F. C.

No property found Jan 29/87
S H B Allen C. F. C.

(B)

This Deed made on this the 31st day of
January 1878 between Henry Woodard and
Emily Woodard his wife of the one part,
and Daniel Swan Hamblew and Claiborne
S. Hamblew jointly of the other part,
all of Lee County Virginia, Witnesseth.
That for and in consideration of the
sum of Two hundred and twenty five
dollars secured to be paid by bonds
bearing this date the said Henry Wood-
ard and Emily Woodard his wife have
this day granted bargained and
sold all their undivided right title
and interest in the real estate owned
by William D. Woodard at his death,
which real estate lies on the waters
of the Town Branch about two miles,
more or less North of Jonesville in Lee
County Virginia, and includes the
undivided interest of the said Henry
Woodard in the tract of land on
which the said Woodard's father Mr.
D. Woodard lived and died, and
also his undivided interest in the said
Mr. D. Woodard's undivided interest in
the tract of land owned and occupied
by Daniel W. Martin and this deed

is intended to include all the said
Henry Woodard's undivided interest in
said two tracts of land, together with
all the appurtenances belonging to the
same to have and to hold the same
forever and the said Henry Woodard
and Emily Woodard his wife, hereby
warrant generally the right title and
interest hereby conveyed against the
Claims of all persons whatever. And
the said parties of the first part hereby
reserve and retain a vendors equita-
ble lien on the undivided interest
in said land hereby conveyed for the
purchase money due and to become
due thereon, and any interest that
may accrue thereon, so that the inter-
ests hereby conveyed shall be liable
and bound for the same in the
same manner as if this deed had ever
been made. Witness the following sig-
natures and seals.

Henry B. Woodard (seal)

Emily ^{his} Woodard (seal)

Virginia. Lee County to wit:

The foregoing deed from Henry B.
Woodard and Emily Woodard his wife

of the one part, to Daniel Swan Hambleen,
T. Blairborn S. Hambleen of the other part,
all of Lee County Virginia, was this day ac-
knowledgeed before me by the said Henry
C. Woodard, to be his act and deed for the
purposes therein mentioned. Given under
my hands February 2nd 1878.

James W. Orr. Clerk of
Lee County Court.

County of Lee to wit:

I, John B. West a Notary Public for
the County aforesaid, in the State of Virginia,
do hereby Certify that Emily Woodard, the wife
of Henry C. Woodard whose names are signed
to the foregoing writing bearing date on the
31st day of January 1878, personally appeared
before me in my County aforesaid and
being examined by me privily and apart
from her said husband, and having
said writing fully explained to her, she,
the said Emily Woodard, acknowledged
said writing to be her act as of said
21st day of January and declared
that she had willingly signed and
executed the same, and does not wish
to retract it, Given under my hands this
23rd day of March 1878.

John B. West N.P.

Virginia Lee County Court Clerk's Office.

The foregoing deed of bargain and sale, executed by Henry C. Woodard and Emily Woodard and his wife to Daniel Swan Hamblew and Claibourn J. Hamblew having been heretofore acknowledged before me by the said Henry Woodard to be his act and deed, and the said Emily Woodard having since acknowledged the said deed before John B. West, Notary Public of this County, the said Deed is fully admitted to record upon the said acknowledgments and certificates given under my hand this the 21st day of Jan'y. 1877.

Teste James W. Orr Clerk

A copy Teste John R. Gibson Clerk.

Daniel Swan Hamblew

Emily } Copy of Deed

Commonwealth

Recorded in Deed

Book No 18. 381-2

J. R. Gibson clk

(6)

Lot No. 9 - contains $39\frac{1}{2}$ acres.
W. W. Woodward.

Lot No. 8
contains 30 A.
Jas H. Woodward.

Lot No. 6 contains 34 acres
Crescent M. Lewis

Lot No. 5 contains 26.
Sarah M. Woodward.

Lot No. 4 contains 30 acres.
G. D. Haley.

Lot No. 7 - contains $34\frac{1}{2}$ acres
Angelina Woodward.

Lot No. 3 contains 47 acres
Robt. B. Woodward.

Lot No. 2. contains 43 acres
Danl S. & Clara Hamble in right of purchase
from W. W. Woodward & Co.

No. 1.
F. Sprinkles Huis
 $45\frac{1}{2}$ acres

N
S

Plot of Partition of
W. D. Woodward Land.

(D)

Judgt for (with Int from Jan'y 26 th 1884)		50.00
Interest to June 5 th 1888		13.07
Int on 50\$ from Aug 1 st 1885		50.00
Int to June 5 th 1888	1216.0	<u>8.53</u>
Cost on warrant	123.10	<u>1.50</u>
Cost of Suit	<u>23</u> 146.10	<u>28.69</u>
Amount of small Judgt.		\$151.79
		<u>23 65</u>
		175.44
		<u>8.75</u>
		184.19
		<u>40.94</u>
		\$143.25-
2/143.25-		
71.62 1/2		

\$143.25- O. J. Morgan
only bid

Calculation of
Recht.

Sale of Land.

VIRGINIA, Lee County Circuit Court:

Henry B. Stoddard, Jr. Plaintiff,

vs.
John & Susan Henderson Defendants,

In Chancery.

Pursuant to a decree rendered in this cause at the March term, 1887 the undersigned commissioner will proceed to sell at the front door of the Court house of said county, on the first day of the June Term 1888 of the County Court of said county, to the highest bidder on a credit of 6 or 12 Months time the tract of land in the bill mentioned or so much thereof as may be necessary to pay the debt and cost due the Plaintiff at said sale so much cash

except so much as may be necessary to pay the costs of suit and expence of sale will be required to be paid in hand, and for the remainder, bonds and good security will be required of the purchaser. Interest from day of sale May 7 1888

The bond required by law has been given.

John A. G. Hyatt

COMMISSIONER.

J. A. G. Hyatt

Clerk.

A. L. Russell
best bids
debt and
Costs + small
debt due
H. J. M. also

June 5 1888.

Byatt

N₁₁₁.

on Justice's list

1.50

2.00

3.50

A 15.00

C 7.69

Esti 5.00

Com 8.75

\$ 1.00

\$40.94

H. C. Woodward for &c

vs

Swan and Clabe Hambleton

Plff

Defts

In Chancery

Received of J. A. G. Hyatt Cour. in above
styled Cause Fifteen Dollars my fee
as attorney in said Cause -

Henry J. Morgan

Received of J. A. G. Hyatt Cour. for
One Dollar my costs as taxed
in this suit. June 7th 1888.

H. C. Joslyn J. C.

Receipts

Virginia

At a circuit Court continued and held
for Lee County at the Court house there
March 7th 1893.

Henry C. Woodward & c^o Plff
against
Swan Elabe Hamblin Defts

Among other things.
It is adjudged ordered and decreed
that a Rule be awarded the Plff
returnable to the first day of the
next term of this Court against
A. L. Russell and C. A. Russell
requiring them to show Cause
if any they can, why a decree
should not be entered against
them for \$143.25 with legal interest
thereon from June 5th 1888 till
paid and the costs, and why the
tract of land in the Bill mentioned
should not be resold to pay
the same, and until the coming
in of said Rule executed the
Cause is Continued.

A Copy

Teste J. A. Wyatt C

Henry C. Woodland for

3 Rule

as 3

Swan & Globe Hamlin

Co 1st day June Term 1893.

We accept
legal service of
this Rule, April
17th 1893.

A. L. Russell

L. A. Russell

Know all men by these presents
that we J. A. G. Hyatt & H. J. Morgan
are held and firmly bound unto
the Commonwealth of Virginia in
the sum of \$200⁰⁰ and for the
prompt payment thereof well &
truly to be made unto the said
Commonwealth, we each bind
ourselves heirs &c and we
as to this bond waive our
Homestead exemptions witness
our hands and seals this 8th
day of May 1888.

The condition of the above
obligation is such that whereas
the above bound J. A. G. Hyatt
was, by a decree entered in the
Chancery Cause of Henry C.
Woodward for &c vs Swan
& Blake Hamblen on the 29
March 1887, appointed a Spe-
cial Commissioner and direc-
ted to sell certain lands mention-
ed in the Bill. Now therefore
should the said Hyatt promptly
perform the duties assigned him
and justly account for all
all sums of money which

he may receive as such Court
then this obligation to be void
otherwise to remain in full force.

J. A. Hyatt Secy
Henry J. Morgan Secynty Secy

Alon. W. Elm for to Oden W. C. Woodward for to
Wm. B. Burch
Wm. B. Burch

James R. Burch
Filed May 8 1888
J. A. Hyatt Secy

Levi Smith vs. Globe Hardware
W. A. Orr & J. W. Orr

Judgt Jan 21/88 \$12.33

Interest from Jan 1/76

Costs \$2.⁰⁰

The Commonwealth of Virginia,

To the Sheriff of LEE COUNTY--Greeting:

WE COMMAND YOU to summon

Claiborne Hamblen
and Daniel S. Hamblen

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House
on the first Monday in February 1887, being Rule Day, to answer a
Bill in Chancery exhibited in our Court against them, by Henry

Woodard, who sues for the benefit
of Henry J. Morgan

And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said
Court, at the Court House, this 3rd day of February 1887 in
the 11 year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste:

(H. J. M.)

Henry C. Woodard Jr.

no 3 Spain Chcy

Walter D. S. Hambleton

To February Rules 1887.

Executed by
delivering office
copies of this Spa
to Leabourne and
D. S. Hambleton
Feb 5th 1887.

E. C. Flannery
deputy for R. D. Flannery S. D. C.